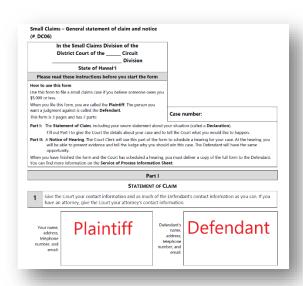


# NOTICE TO DEFENDANT(S) OF ONLINE DISPUTE RESOLUTION

Plaintiff <u>must</u> serve this Notice to the Defendant along with the *Statement of Claim* and *Notice of Hearing*.

#### You have received this Notice because:

- The Plaintiff(s) whose name is listed in the *Statement of Claim* has filed a case against you in Small Claims.
- You are a Defendant in this case.
   If you have an attorney, give this *Notice to Defendant* to your attorney along with the Statement of Claim.



# **Registration Required**

This case is included in the Hawaii State Judiciary Online Dispute Resolution (ODR) Pilot Program. **You MUST register on the online system within <u>fourteen (14) days</u> of being served with the** *Statement of Claim***.** 



**To register visit**: <u>TurboCourt Hawaii</u> (<u>www.turbocourt.com/hawaii</u>). You will be directed to the TurboCourt site and choose "Hawaii" as your state.

You must have access to a computer or mobile device, internet connection, and an e-mail address. If you do not have access to the necessary technology, you may submit a request to be excused from participating in ODR. Please submit a <u>Request for Exemption from Small Claims ODR Pilot Program</u> form. If you are excused from participating, you will be required to submit your court documents directly with the court in person or via U.S. mail and appear at the scheduled hearing.

# How Online Dispute Resolution (ODR) Works

- Instead of going to trial at the courthouse, you (and your co-Defendants) and the Plaintiff(s) may negotiate between yourselves to reach an agreed resolution of your dispute using the online system.
- The system can be accessed at any time using a computer, tablet or smart phone with internet connection. You will receive email and/or text messages during the course of the online negotiation process to notify you when to log back into the system.

- If you agree to the amount owed, you (and your co-Defendants) and the Plaintiff(s) may work on a payment plan and submit the required court documents to close or dispose of the case with the court.
- If you do not agree with the amount owed, you (and your co-Defendants) and the Plaintiff(s) have seven (7) days to negotiate an agreed amount.
- If all the parties do not come to an agreement by the end of the seven (7) day negotiation period, all parties will be <u>required</u> to come to the courthouse on the date and time assigned to your case. At that time, the presiding judge may order the parties to mediation with a neutral third-party mediator before the case proceeds to trial. You may find information by looking up your case on <u>eCourt Kokua</u>.

## **Benefits of Using ODR**

- You will have an opportunity to resolve the dispute between you (and your co-Defendants) and the Plaintiff(s) online at your convenience and save time;
- You may submit your settlement agreement and other court documents online; and
- If the parties can come to an agreement, you will not have to come to court.

## **Finding Help**

If you need legal assistance to better understand the court process and your legal rights and responsibilities, please visit the <u>Hawaii State Judiciary</u> website. Under Self-Help and the Access to Justice Tabs, you will find information about Self-Help Centers, Access to Justice Rooms, and other resources for legal assistance.



#### **Americans with Disabilities Act Notice**



If you need an accommodation for a disability when participating in a court program, service or activity, please contact the ADA Coordinator as far in advance as possible to allow time to provide an accommodation.

Call First Circuit (Oahu) (808) 538-5121; Second Circuit (Maui) (808) 244-2855; Third Circuit (Hawaii Island): Hilo (808) 961-7629, Kona (808) 961-7629; or Fifth Circuit (Kauai) (808) 482-2347; or send an e-mail to <a href="mailto:adarequest@courts.hawaii.gov">adarequest@courts.hawaii.gov</a>. The ADA Coordinator will work to provide, but cannot guarantee, the requested auxiliary aid, service or accommodation.